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11 Attorneys for Defendant
12 VENTANA MEDICAL SYSTEMS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

BIOGENEX LABORATORIES, INC.

CASE NO.: C03-03916-JF

Plaintiff,

1

VENTANA MEDICAL SYSTEMS, INC.,

**JOINT STATUS REPORT,
STIPULATION AND
PROPOSED ORDER**

Defendant:

23 BIOGENEX LABORATORIES, INC.,

Plaintiff

CASE NO.: C05-0860-JF

25 v.

EDICAL

26 VENTANA MEDICAL SYSTEMS, INC.,

Defendant.

1 Pursuant to the Court's request at the August 5, 2005 Case Management Conference, the
 2 parties set forth the current deadlines under the Patent Local Rules below. However, in order to
 3 accommodate scheduling conflicts during the holidays the parties propose that certain Patent
 4 Local Rules deadlines be modified, as follows:

5 Current	6 Modified	7 Deadline
8 August 19, 2005	9 Same	10 Disclosure of Asserted Claims and Preliminary Infringement Contentions (Patent Local Rule 3-1)
11 October 3, 2005	12 Same	13 Preliminary Invalidity Contentions (Patent Local Rule 3-3)
14 October 17, 2005	15 Same	16 Exchange of Proposed Terms and Claim Elements for Construction (Patent Local Rule 4-1)
17 November 7, 2005	18 Same	19 Exchange of Preliminary Claim Constructors and Extrinsic Evidence (Patent Local Rule 4-2)
20 December 2, 2005	21 December 16, 2005	22 Joint Claim Construction and Prehearing Statement (Patent Local Rule 4-3)
23 January 2, 2006	24 January 27, 2006	25 Completion of Claim Construction Discovery (Patent Local Rule 4-4)
26 January 16, 2006	27 February 10, 2006	28 Opening Claim Construction Brief (Patent Local Rule 4-5(a))
29 January 30, 2006	30 March 3, 2006	31 Responsive Claim Construction Brief (Patent Local Rule 4-5(b))
32 February 6, 2006	33 March 17, 2006	34 Reply Claim Construction Brief (Patent Local Rule 4-5(c))

18 The parties request that a technology tutorial be scheduled for March 31, 2006, or as soon
 19 thereafter as the Court's calendar may permit, and that a *Markman* hearing be scheduled
 20 approximately one week after the technology tutorial.

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1 Dated: August 12, 2005

STRADLING YOCCA CARLSON & RAUTH
Professional Corporation

3 By: Paul L. Gale
4 Paul L. Gale

5 Attorneys for Plaintiff
6 BIOPENEX LABORATORIES, INC.

7 Dated: August 12, 2005

8 WILSON SONSINI GOODRICH & ROSATI
9 Professional Corporation

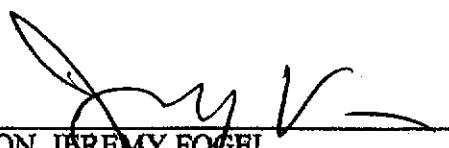
10 By: Roger J. Chin
11 Roger J. Chin

12 Attorneys for Defendant
13 VENTANA MEDICAL SYSTEMS, INC.

14 **ORDER**

15 PURSUANT TO STIPULATION, the modified Patent Local Rules deadlines are hereby
16 adopted. A technology tutorial is scheduled for 3/31, 2006, at 9 AM.
17 A *Markman* hearing is scheduled for 4/7, 2006, at 9 AM.

18 Dated: 8/25/05

19 
20 HON. JEREMY FOGEL
21 UNITED STATES DISTRICT JUDGE

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